

[Submitting Counsel on Signature Page]

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

In re LIDODERM ANTITRUST  
LITIGATION

MDL Docket No. 3:14-md-02521-WHO

This document relates to END-PAYOR  
ACTIONS

**STIPULATION AND  
ORDER**

1 Plaintiff Government Employees Health Association (“GEHA”), the Defendants, and End-  
2 Payor Class Plaintiffs hereby enter into the following stipulation, subject to this Court’s approval,  
3 (1) stipulating that End-Payor Plaintiffs and their Counsel waive any set-aside relief and award of  
4 attorneys’ fees and costs relating to GEHA’s claims in the above-captioned matter and (2) permitting  
5 Defendants to file any response to End-Payor Plaintiffs’ Motion for Entry of a Set-Aside Order by  
6 July 7, 2017 and permitting End-Payor Plaintiffs to file any reply brief by July 19, 2017.

7 WHEREAS End-Payor Plaintiffs filed their motion for entry of set-aside order on June 2,  
8 2017. ECF No. 742.

9 WHEREAS End-Payor Plaintiffs agree that the motion does not apply to any claims asserted  
10 by GEHA and that End-Payor Counsel hereby irrevocably waive any right to an award of attorneys’  
11 fees or costs associated with GEHA’s claims in this litigation.

12 WHEREAS the original due date to respond to End-Payor Plaintiffs’ motion for entry of  
13 set-aside order was June 16, 2017.

14 WHEREAS Defendants have requested, and End-Payor Plaintiffs do not oppose, an extension  
15 of the due date for Defendants’ response to End-Payor Plaintiffs’ motion for entry of set-aside order  
16 to July 7, 2017.

17 WHEREAS in light of the extension requested by Defendants, End-Payor Plaintiffs seek a  
18 modest extension of the due date for any reply brief to July 19, 2017.

19 IT IS HEREBY STIPULATED AND AGREED by and between the undersigned parties  
20 and/or their respective counsel, subject to the Court’s approval of this stipulation, that Defendants  
21 may file any response to End-Payor Plaintiffs’ motion for entry of set-aside order on or before July 7,  
22 2017, and End-Payor Plaintiffs may file any reply on or before July 19, 2017.

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 Dated: June 14, 2017

2 /s/ Todd A. Seaver

3 Joseph J. Tabacco, Jr. (SBN 75484)  
4 Todd A. Seaver (SBN 271067)  
5 Sarah Khorasanee McGrath (SBN 263935)  
6 **BERMAN DEVALERIO**  
7 44 Montgomery Street, Suite 650  
8 San Francisco, CA 94104  
9 Telephone: (415) 433-3200  
10 Facsimile: (415) 433-6382  
11 jtabacco@bermandevalerio.com  
12 tseaver@bermandevalerio.com  
13 smcgrath@bermandevalerio.com

9 /s/ Peter D. St. Phillip

10 Peter D. St. Phillip  
11 Uriel Rabinovitz  
12 Noelle Ruggiero  
13 **LOWEY DANNENBERG COHEN & HART, P.C.**  
14 One North Broadway  
15 White Plains, NY 10601  
16 Telephone.: 914-997-0500  
17 Facsimile: 914-997-0035  
18 pstphillip@lowey.com  
19 urabinovitz@lowey.com  
20 nruggiero@lowey.com

21 *Attorneys for Plaintiff Government*  
22 *Employees Health Association*

21 /s/ Joseph A. Meckes

22 Noriyuki Shimoda (State Bar No. 176973)  
23 Joseph A. Meckes (State Bar No. 190279)  
24 **SQUIRE PATTON BOGGS (US) LLP**  
25 275 Battery Street, 26th Floor  
26 San Francisco, California 94111  
27 Telephone: (415) 954-0200  
28 Facsimile: (415) 393-9887  
Noriyuki.Shimoda@squiresanders.com  
Joseph.Meckes@squiresanders.com

29 *Attorneys for Defendants Teikoku Pharma*  
30 *USA, Inc. and Teikoku Seiyaku Co., Ltd.*

/s/ Dena C. Sharp

Daniel C. Girard (SBN 114826)  
Dena C. Sharp (SBN 245869)  
**GIRARD GIBBS LLP**  
601 California Street, 14th Floor  
San Francisco, CA 94108  
Telephone: (415) 981-4800  
Facsimile: (415) 981-4846  
dgc@girardgibbs.com  
chc@girardgibbs.com

/s/ Renae D. Steiner

Renae D. Steiner  
**HEINS MILLS & OLSON, P.L.C.**  
310 Clifton Avenue  
Minneapolis, MN 55403  
Telephone: (612) 338-4605  
Facsimile: (612) 338-4692  
rsteiner@heinsmills.com

/s/ Sharon K. Robertson

Sharon K. Robertson  
Donna M. Evans  
**COHEN MILSTEIN SELLERS & TOLL**  
**PLLC**  
88 Pine Street, 14th Floor  
New York, NY 10005  
Telephone: (212) 838-7797  
Facsimile: (212) 838-7745

*Interim Co-Lead Counsel for the proposed*  
*End-Payor Class*

1 /s/ Daniel B. Asimow

Daniel B. Asimow (State Bar No. 165661)

2 **ARNOLD & PORTER KAYE SCHOLER LLP**

Three Embarcadero Center, 10th Floor

3 San Francisco, California 94111-4024

Telephone: (415) 471-3100

4 Facsimile: (415) 471-3400

Daniel.Asimow@apks.com

5 Jonathan L. Stern (admitted pro hac vice)

6 Steven G. Reade (admitted pro hac vice)

Ryan Z. Watts (admitted pro hac vice)

7 **ARNOLD & PORTER KAYE SCHOLER LLP**

601 Massachusetts Ave., N.W.

8 Washington, D.C. 20001

Telephone: (202) 942-5000

9 Facsimile: (202) 942-4999

Jonathan.Stern@apks.com

10 Steven.Reade@apks.com

Ryan.Watts@apks.com

11 Heidi K. Hubbard (admitted pro hac vice)

12 Stanley E. Fisher (admitted pro hac vice)

Benjamin M. Greenblum (admitted pro hac vice)

13 **WILLIAMS & CONNOLLY LLP**

725 Twelfth Street, N.W.

14 Washington, D.C. 20005

Telephone: (202) 434-5000

15 hhubbard@wc.com

sfisher@wc.com

16 bgreenblum@wc.com

17 *Attorneys for Defendant Endo Pharmaceuticals Inc.*

18 /s/ Karen Hoffman Lent

19 Karen Hoffman Lent (admitted pro hac vice)

20 **SKADDEN, ARPS, SLATE, MEAGHER  
& FLOM**

Four Times Square

21 New York, New York 10036

Telephone: (212) 735-3000

22 Facsimile: (917) 777-3000

Karen.Lent@skadden.com

23 Steven C. Sunshine (admitted pro hac vice)

24 Sean M. Tepe (admitted pro hac vice)

25 **SKADDEN, ARPS, SLATE, MEAGHER  
& FLOM**

1440 New York Ave. NW

26 Washington DC, 20005

Telephone: (202) 371-7000

27 Facsimile: (202) 393-5760

Steve.Sunshine@skadden.com

28 Sean.Tepe@skadden.com

1 James Schaefer (State Bar No. 250417)  
2 **SKADDEN, ARPS, SLATE, MEAGHER**  
3 **& FLOM**  
4 525 University Avenue  
5 Palo Alto, California 94301-1908  
6 Telephone: (650) 470-4500  
7 Facsimile: (650) 470-4570  
8 James.Schaefer@skadden.com


9 *Attorneys for Defendants Actavis, Inc.,*  
10 *Watson Pharmaceuticals, Inc., Watson*  
11 *Laboratories, Inc., Actavis plc., Anda Inc.,*  
12 *Anda Pharmaceuticals, Inc., and Valmed*  
13 *Pharmaceuticals, Inc.*

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

---

Daniel B. Asimow

PURSUANT TO STIPULATION, IT IS SO ORDERED.

  
WILLIAM H. ORRICK  
United States District Judge